lative Assembly in India to-day, as far as I know. It does not apply to our Member. In future he should not be a Member. In any case he should not be a Member of the Council.

Mr. A. B. Salem.—I accept that amendment also.

The proposal is recast. I shall read it.

"*That the Council Secretariat be absolutely separate from the Huzur Secretariat, that the Secretary to the Council be paid not less than Rs. 200 and the Secretary be a full-timed officer who is a Law Graduate and he should not be a Member of this House.*"

Mr. C. Barton Wright.—I second the amended resolution.

(*The resolution as recast was put and agreed to.*)

Mr. C. J. Mathew.—Poll, Sir.

The House divided:—*Ayes 20, Noes none and Neutral one.*

Ayes.

1. Mr. V. V. Anantapadmanabha Ayyar
2. ,, K. J. Antony
3. ,, K. Ayyappan
4. ,, C. Barton Wright
5. ,, M. A. Chakko
6. ,, P. C. Chanchan
7. ,, A. Eachara Menon
8. ,, K. P. Kannan Nayar
9. ,, P. Krishna Menon
10. ,, T. K. Nayar
11. Mr. P. Kumaran Ezhuthassan
12. ,, A. K. Kunhi Moideen
13. ,, C. J. Mathew
14. ,, K. Mohamed Seethi
15. ,, V. D. Ouseph
16. ,, T. A. Ramachandra Ayyar
17. ,, M. K. Raman
18. ,, A. B. Salem
19. ,, Thomas Manjuran
20. Dr. E. A. Veigas.

Noes.

None.

Neutral.

Mr. A. S. Harihara Ayyar.

Deputy President.

Mr. A. B. Salem.— I move that "*the honorarium paid to the Deputy President of this Council be Rs. 2,000 as at present*". The Finance Committee reports to the effect that a reduction may be made of Rs. 500 in the honorarium attached to the Deputy President. It would be derogatory to the privilege of this House, and the dignity of this House, to have an officer of the Deputy President's stamp paid anything less than Rs. 2,000. It is not a question of the size of the territory or a question of the work that he does, but it is a question of dignity and status attached to the Deputy President of this House, and as this House will only grow in strength, heavy work will certainly devolve on the shoulders of the Deputy President, and for the time being I think the reduction should not be made.

Mr. C. Barton Wright.—I second it.

(*The resolution was put and agreed to.*)

First Class Magistrate's Court.

Mr. K. J. Antony.—Sir, I beg to move that "*a full-timed Stationary First Class Magistrate's Court be opened at Erna-*

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kulam as of yore and the practice of investing the Second Class Magistrate with special First Class powers be stopped." There are a number of resolutions on the same matter, *e. g.*, there is resolution No. 88 and there are many others.

Mr. Thomas Manjuran.—I second this and withdraw resolution No. 88.

(*Hence resolution No. 88 was considered withdrawn.*)

"*This House recommends to the Government that the Second Class Magistrate's pay be Rs. 150—200; that a First Class Magistrate be appointed to sit at Ernakulam, on Rs. 250—300, that hereafter no First Class case be sent to any Special First Class Magistrate for trial, and that the First Class cases of the Northern Division be tried by the District Magistrate and those of the Southern Division by the First Class Magistrate.*"

Mr. K. P. Kannan Nayar.—You want a separate First Class Magistrate's Court ?

Mr. K. J. Antony.—Yes.

Mr. K. P. Kannan Nayar.—Then I oppose it. I shall explain my position in a few words. What is now being done is this. The District Magistrate, as soon as a First Class case is filed in his court, simply says, "*File and transfer to the Special First Class Magistrate's Court, so and so.*" Now, if the District Magistrate is directed to try all the First Class cases within the Northern jurisdiction and a senior Magistrate invested with First Class powers to try all the First Class cases in the Southern Division as suggested by the Finance Committee and he be given a salary of Rs. 250, that would perfectly satisfy the requirements. Of course the major portion of his work will be First Class and there will be a few Second Class cases and if a competent man is appointed he will be able to cope with the work. We have only to ask the District Magistrate to try a number of original cases which he is not now doing. He is simply shunting it on and invidiously investing all the Second Class Magistrates with First Class powers. I think there are three Second Class courts promiscuously given first class powers. A senior Magistrate may be asked to deal with all the First Class cases in the Southern jurisdiction and the District Magistrate may dispose of all the cases in the Northern jurisdiction, and then there will be no difficulty. To have a separate court with all paraphernalia means cost, and I do not think we will be justified in recommending that.

Mr. Thomas Manjuran.—Just a word of explanation. I think the Hon'ble Member is not aware of what is going on. The Second Class Magistrates of Cochin and Ernakulam found it difficult to cope with the work even before the transfer began. The heaviest file is in the Kanayannur Magistrate's Court and

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next comes Cochin. Secondly, First Class cases are of a very different category from Second Class cases. They are more serious. Now, the District Magistrate has got so many things to do. He has got half-a-dozen things shunted on to him now, and he can hardly find time for his work. If you ask the Second Class Magistrate at Ernakulam to do all the southern division First Class cases work who is to do the Second Class work? He has got the heaviest file in the State as it is. There is great delay in the disposal of these First Class cases and speedy injustice is said to be better than tardy justice. Moreover there was a First Class court here and it was only recently abolished. So from the point of view of the importance of the cases and from the point of view of expediency and convenience a stationary Magistrate with First Class powers may permanently be appointed at Ernakulam. As regards the staff it may be the same as it was when there was a permanent First Class court. I strongly support the motion.

(*The resolution was put and agreed to.*)

Second Class Magistrate.

Mr. C. J. Mathew.—Sir, I move resolution No. 20 that "*This Council recommends to the Government that the scale of pay of the Second Class Magistrate be raised to Rs. 150-200 and that the practice of vesting the Second Class Magistrate with First Class powers be discontinued,*" as recommended by the Committee.

Mr. Thomas Manjuran.—I second it.

Deputy President.—That latter portion regarding investment of First Class powers may be omitted.

Mr. C. J. Mathew.—Yes, Sir.

(*The resolution that all Second Class Magistrates be paid Rs. 150—200 was put and agreed to.*)

Teachers.

Mrs. G. Pavitran.—Sir, I rise to move resolution No. 46. The resolution reads thus:—"*This Council recommends that, for similar qualifications and service, teachers should have the same scale of salary as clerks in other Departments.*"

Sir, my object in moving this resolution is to plead for the redress of a very legitimate grievance of the teachers of our State. Though the Special Finance Committee started to do its work with the avowed object of a just and equitable distribution of the pay among all Government servants, I am sorry to note that they have not even made a serious attempt to carry it out at least so far as teachers are concerned. You will bear with me if I say that to call the present distribution of pay among the teachers and clerks 'just and equitable' is only a travesty of terms. All that I ask you to do is to see that a

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